

ASSEMBLY BILL

No. 1063

Introduced by Assembly Member Eggman

February 22, 2013

An act to amend Section 8772 of, and to add Section 8764.6 to, the Business and Professions Code, relating to surveyors.

LEGISLATIVE COUNSEL'S DIGEST

AB 1063, as introduced, Eggman. Record of survey: additional information.

Existing law provides for the licensing and regulation of professional engineers and land surveyors by the Board of Professional Engineers and Land Surveyors in the Department of Consumer Affairs. Existing law provides for the filing of a record of survey by licensed surveyor or licensed civil engineer with the county surveyor.

This bill would authorize a licensed surveyor to include additional information to be filed simultaneously, as a separate document, as specified, with a record of survey.

Existing law requires any monument set by a licensed land surveyor or registered civil engineer to mark or reference a point on a property or land line shall be permanently and visibly marked or tagged with the certificate number of the surveyor or civil engineer setting it, as specified, or if the monument is set by a public agency, to be marked with the name of the agency and the political subdivision it serves.

This bill would require the monument to be marked by the surveyor or civil engineer, as specified, and to be marked with the name of the agency and the political subdivision it serves, if the monument is set by a public agency.

By imposing additional duties on public agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8764.6 is added to the Business and
2 Professions Code, to read:

3 8764.6. (a) A licensed surveyor or civil engineer may include
4 additional information to be filed simultaneously with a record of
5 survey. The additional information shall be in the form of a separate
6 document, formatted according to the applicable County Recorder
7 standards, with a statement that indicates its relationship to the
8 record of survey, describes conditions as of the date of recording,
9 and states that it is not intended to affect or alter the record title
10 interest. The statement shall also contain a notation identifying the
11 source of the information.

12 (b) The additional information may include any data necessary
13 for the interpretation of the various items and locations of the
14 points, lines, and areas shown on the record of survey map, or for
15 the identification of the survey or surveyor, as may be determined
16 by the civil engineer or land surveyor preparing the record of
17 survey. Additional information may include, but is not limited to,
18 unfiled maps, calculations, field notes, photographs, memoranda,
19 diagrams, reports, letters, e-mails, oaths, and diaries.

20 SEC. 2. Section 8772 of the Business and Professions Code is
21 amended to read:

22 8772. (a) Any monument set by a licensed land surveyor or
23 registered civil engineer to mark or reference a point on a property
24 or land line shall be permanently and visibly marked or tagged
25 with the certificate number of the surveyor or civil engineer setting
26 it, each number to be ~~preceeded~~ *preceded* by the letters "L.S." or

1 “R.C.E.,” respectively, as the case may be—~~or, if~~. *If* the monument
2 is set by a public agency, it shall *also* be marked with the name of
3 the agency and the political subdivision it serves.

4 ~~Nothing~~

5 (b) *Nothing* in this section shall prevent the inclusion of other
6 information on the tag which will assist in the tracing or location
7 of the survey records which relate to the tagged monument.

8 SEC. 3. If the Commission on State Mandates determines that
9 this act contains costs mandated by the state, reimbursement to
10 local agencies and school districts for those costs shall be made
11 pursuant to Part 7 (commencing with Section 17500) of Division
12 4 of Title 2 of the Government Code.